

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25462 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- PARAIYA District- Gaya

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1. Lakshman Bind S/o Gajadhar Bind Resident of Village- Marachi, P.S. Paraiya, District-Gaya.
 2. Lav Kush Bind @ Kush Bind @ Kush Kumar S/o Gajadhar Bind Resident of Village- Marachi, P.S. Paraiya, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-04-2024 Heard Mr. Vinod Kumar, learned counsel appearing on behalf of the petitioners and Mr. Ajay Kumar No. 2, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Paraiya P.S. Case No. 265 of 2023 registered under Sections 147, 148, 149, 323, 341, 325, 307 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners and other accused persons named therein, had assaulted the informant and his friends, as a result of which they sustained injuries.

4. Learned counsel appearing on behalf of the



petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. No specific allegation has been made against the petitioners that they are the one, who had assaulted the informant or his friends. A general and omnibus allegation has been made against the petitioners. The petitioners have clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that general and omnibus allegation has been made against the petitioners, who have clean antecedent, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate – XIII, Gaya in connection with Paraiya P.S. Case No. 265 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



8. The District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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